



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: HARRIS, *et al.*

Group Art Unit: Not Yet Assigned

Serial No.: 10/658,560

Examiner: Not Yet Assigned

Filed: September 8, 2003

Docket: BROOK.1003

For: FOLDABLE HEADPHONES

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Office Form PTO-1449, including copies of the references listed thereon. The claims in the present application are believed to be patentably distinguishable over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(a). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(a) relies on a materiality concept which depends on subjectivity.

**REMARKS**

Applicants are also aware of a folding headphone set sold by Sennheiser, referred to as the PXC 250, Exclusive Noise Gard™ active noise reduction. Applicants respectfully submit that the claims in the present application are believed to be patentably distinguishable over this product as well. Attached is a photocopy of the box used to sell the headphones.

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In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Reg. No. 48,173

Customer No. 26,812

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on May 6, 2004, at Manchester, New Hampshire.

By:   
Johanne Hrycuna

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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3,532,837	10/6/70	DYAR, et al.	179	156	12/19/67
		4,404,434	9/13/83	PELT, et al.	179	156 R	8/10/81
		4,409,442	10/11/83	KAMIMURA	179	156 R	4/30/81
		4,445,005	4/24/84	FURUHASHI	179	156 R	4/30/81
		4,571,746	2/25/86	GORIKE	2	209	2/24/83
		4,597,469	7/1/86	NAGASHIMA	181	129	3/21/85
		4,609,786	9/2/86	OMOTO, et al.	179	156 R	10/12/84
		6,130,953	10/10/00	WILTON, et al.	381	375	6/9/98
		6,385,325	5/7/02	NAGENO, et al.	381	374	10/12/99
		D266,244	9/21/82	HOFER, et al.	D14	36	5/30/79
		D287,008	12/2/86	TRAGATSNIG	D14	36	4/3/84

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		D351,597	10/18/94	NAKAMURA	D14	205	11/18/92
		D405,449	2/9/99	NAKMURA, et al.	D14	205	12/23/97

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		2000-125386	4/28/2000	JAPAN w/abstract	H04R	1/10		✓

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		"PXC 250, Exclusive Noise Gard, active noise reduction" by Sennheiser (1 pg)

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